

108TH CONGRESS  
2D SESSION

# S. 2223

To expand the list of entities eligible to establish and maintain a qualified tuition program under section 529 of the Internal Revenue Code of 1986.

---

IN THE SENATE OF THE UNITED STATES

MARCH 23, 2004

Mr. DASCHLE introduced the following bill; which was read twice and referred to the Committee on Finance

---

## A BILL

To expand the list of entities eligible to establish and maintain a qualified tuition program under section 529 of the Internal Revenue Code of 1986.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. ADDITIONAL ELIGIBLE ENTITIES FOR QUALI-**  
4       **FIED TUITION PROGRAMS.**

5       (a) IN GENERAL.—For purposes of section 529 of the  
6       Internal Revenue Code of 1986, an eligible educational in-  
7       stitution shall be deemed to include a corporation—

8               (1) which is a transferee corporation (within  
9       the meaning of section 150(d)(3) of such Code) of

1       a corporation described in section 150(d) of such  
2       Code, and

3               (2) a majority of the outstanding stock of which  
4       is owned by an employee stock ownership plan (as  
5       defined in section 4975(e)(7) of such Code).

6       (b) EFFECTIVE DATE.—Subsection (a) shall take ef-  
7       fect with respect to any qualified tuition program estab-  
8       lished after the date of the enactment of this Act.

○